

U.S. Appl. No. 09/849,856
Reply to Final Office Action dated August 10, 2006

PATENT
450100-03207

REMARKS/ARGUMENTS

RECEIVED
CENTRAL FAX CENTER

AUG 28 2006

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-8 are currently pending. Claims 1, 4 and 6, which are independent, are hereby amended. Claims 9-11 are canceled without prejudice or disclaimer or any subject matter. No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-8 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,450,253 to Seki, et al. (hereinafter, merely "Seki") in view of U.S. Patent No. 6,307,822 to Shim, et al. (hereinafter, merely "Shim").

Claim 1 recites, *inter alia*:

"A playback apparatus for extracting a playback signal from a recording medium without performing tracking control...comprising:

an adaptive equalizing circuit for performing equalization of said playback signal;

U.S. Appl. No. 09/849,856
Reply to Final Office Action dated August 10, 2006

PATENT
450100-03207

wherein a characteristic of said adaptive equalizing circuit is changed only when said detection signal indicates that the phase of said clock is locked to the playback signal and the envelope value of said playback signal is greater than or equal to said predetermined value. (Emphasis added)

As understood by Applicants, Seki relates to a regenerative signal from a magnetic head being compensated by a filter that serves as an equalizer. The regenerative signal thus compensated is then decoded at a decoder. An adaptive control unit adjusts the characteristic of the filter on the basis of a decode error at the decoder and an input to the filter. A servo control unit sends a servo lock signal to the adaptive control unit when a servo control operation at the time of reproduction is stabilized to start an automatic adjustment operation of the filter characteristic.

As understood by Applicants, Shim relates to a data reproduction apparatus for an optical disc system. Included is an analog-to-digital converter (ADC) for sampling an input RF signal and outputting the sampled result, an adder for adding the sampled signal and an asymmetry correction signal. A blank/defect detector is provided for generating a blank detection signal if no change in data is detected from the added signal during a predetermined interval of time. A correction signal generator is provided for calculating a digital sum value (DSV) from the received added signal, generating an asymmetry correction signal based on the calculated DSV, and outputting the generated asymmetry correction signal to the adder. A waveform equalizer is provided for waveform-equalizing the added signal. A decoder is provided for decoding the waveform-equalized signal and outputting the result. The correction signal corrector temporarily stops a DSV calculation operation with respect to the interval of the corresponding added signal, if the blank detection signal is output.

Applicants respectfully submit that Seki and Shim, taken either alone or in combination, do not teach or suggest the above identified features of claim 1. Specifically, Seki

U.S. Appl. No. 09/849,856
Reply to Final Office Action dated August 10, 2006

PATENT
450100-03207

and Shim do not teach or suggest a playback apparatus comprising an adaptive equalizing circuit, wherein a characteristic of said adaptive equalizing circuit is changed only when said detection signal indicates that the phase of said clock is locked to the playback signal and the envelope value of said playback signal is greater than or equal to said predetermined value, as recited in independent claim 1.

Therefore, independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 4 and 6 are also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

U.S. Appl. No. 09/849,856
Reply to Final Office Action dated August 10, 2006


PATENT
450100-03207
RECEIVED
CENTRAL FAX CENTER
AUG 28 2006

Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the
claims in this application are patentable and Applicants respectfully request early passage to
issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800